

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CLIFFORD G. MARTIN, Individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WARNER CHILCOTT PUBLIC LIMITED
COMPANY,

Defendant.

Civ. No. 2:13-cv-4566

Hon. Esther Salas, U.S. D.J.

Hon. Joseph A. Dickson, U.S.M.J

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT;
PRELIMINARY CERTIFICATION OF THE CLASS FOR PURPOSES OF
SETTLEMENT; APPROVAL OF NOTICE TO THE CLASS; AND SCHEDULING
OF A FINAL APPROVAL HEARING**

PLEASE TAKE NOTICE that Plaintiff Clifford G. Martin (“Plaintiff”) respectfully moves this Court pursuant to FED. R. CIV. P. 23 for an order: (i) preliminarily approving the proposed settlement (“Settlement”); (ii) preliminarily certifying the proposed settlement class for purposes of the Settlement (“Settlement Class”); (iii) approving the form and manner of giving notice of the Settlement to the Settlement Class; and (iv) scheduling a hearing for final approval of the Settlement and Plaintiff’s Counsel’s motion for an award of attorneys’ fees and litigation expenses.

The Motion shall be heard on a date to be determined by the Honorable Esther Salas. The Motion is based upon the accompanying Memorandum of Law in support thereof, the accompanying Declaration of Brian C. Kerr and the exhibit thereto, and other such matters and arguments as the Court may consider during the hearing of this Motion.

Dated: May 29, 2014

BRODSKY & SMITH, LLC

By: /s/ Evan J. Smith
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Evan J. Smith, hereby certify that on May 29, 2014, I caused the foregoing to be served on all counsel of record via ECF.

/s/ Evan J. Smith
Evan J. Smith